



**CHRIS CHRISTIE**  
Governor

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Lt. Governor

## *New Jersey Office of the Attorney General*

Division of Consumer Affairs  
New Jersey State Board of Physical Therapy Examiners  
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### **NEW JERSEY STATE BOARD OF PHYSICAL THERAPY EXAMINERS**

#### **PUBLIC SESSION MINUTES**

**July 22, 2014**

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A regular meeting of the New Jersey State Board of Physical Therapy Examiners was held at 124 Halsey Street, Newark, New Jersey, in the Somerset Conference Room, 6th Floor, on Tuesday July 22, 2014. The meeting was convened in accordance with the provisions of the Open Public Meetings Act. **Karen Wilk, Chairperson of the Board**, called the meeting to order at 9:30 A.M. and a roll call was taken and the following attendance was recorded:

BARBARA J. BEHRENS, P.T.A.	Present
DAVID BERTONE, P.T.	Present
JEAN BICKAL, ESQ	Present
MARY B. BROWNE, P.T.	Present
NANCY KIRSCH, P.T.	Present
CINDY MOORE, P.T.	Present
BETH SARFATY, P.T.	Excused
KAREN WILK, P.T.	Present

Also present were: **John Hugelmeyer, Deputy Attorney General; Lisa Tadeo, Executive Director**

**Members of the public: Cathy Chin, representative of Select Medical; Daniel Klim, Executive Director of the APTA-NJ; and Jessica Fulmino, PT**

#### **PUBLIC COMMENT**

##### **I. APPROVAL OF THE MINUTES OF JUNE 24, 2014 BOARD MEETING**

A motion was made by Nancy Kirsch and seconded by Barbara J. Behrens to accept the minutes of the June 24, 2014 Board meeting as amended. A vote was taken and the motion carried by a unanimous vote.

##### **II. NEW BUSINESS**

###### **A. Continuing Education Course Reviewers' Recommendations**

Nancy Kirsch recused herself as she is employed by Rutgers.

The Board reviewed the recommendations of the course reviewers at Rutgers, The State University of New Jersey, formerly the University of Medicine and Dentistry of New Jersey (UMDNJ), for continuing education courses submitted by sponsors for the Board's approval. A motion was made by Mary Browne and seconded by Barbara J. Behrens to accept the course reviewer's recommendations as presented. The 72 approved courses will be posted on the New Jersey State Board of Physical Therapy Examiners' website. Two courses were denied, as they did not meet all the requirements set forth in N.J.A.C. 13:39A-9 et. seq. A vote was taken and the motion carried by a unanimous vote.

- B. Assembly No. 1254  
(Synopsis - Requires certain civil actions against certain licensed persons to be brought within two years)

The Board reviewed Assembly No. 1254 and considered it informational.

- C. Inquiry from Charles R. Miller, Jr., PT  
RE: Cupping Treatment

Mr. Miller inquired whether a physical therapist was permitted to perform cupping/bottle cupping.

A motion was made by David Bertone and seconded by Nancy Kirsch to inform Mr. Miller that a physical therapist can perform cupping provided the physical therapist is trained and competent in the technique. A vote was taken and the motion carried by a unanimous vote.

- D. Application for Continuing Education Approval  
from the Federation of State Boards of Physical Therapy  
RE: New Jersey Jurisprudence Learning and Assessment Tool

The application was referred to the continuing education committee. The continuing education committee consists of Barbara J. Behrens, Mary Browne and Nancy Kirsch. The committee will provide the Board with its recommendations concerning applications received for the New Jersey Jurisprudence Learning and Assessment Tool at the September 23, 2014 meeting.

- E. Information from Care Resources  
RE: Course, "There is Always a Reason for the Behavior: Is It Sensory or Is It Behavior?"

Care Resources wrote the Board concerning its denial of the course, "There is Always a Reason for the Behavior: Is It Sensory or Is It Behavior?" as the course submission did not include at least five references from peer reviewed journals published within the past five years. Care Resources provided information for the Board to review.

A motion was made by Cindy Moore and seconded by Mary Browne to approve the course, "There is Always a Reason for the Behavior: Is It Sensory or Is It Behavior?" as it now meets the requirements set forth in N.J.A.C. 13:39A-9 et seq. The Board will request that Care Resources provide the applicants with the updated reference list. A vote was taken and the motion carried by a unanimous vote.

F. Information from Care Resources

RE: Course, "Foundations for Movement: Sensory Contributions and Postural Control"

Care Resources wrote the Board concerning its denial of the course, "Foundations for Movement: Sensory Contributions and Postural Control" as the course submission did not include at least five references from peer reviewed journals published within the past five years. Care Resources provided information for the Board to review.

A motion was made by Mary Browne and seconded by Barbara J. Behrens to reaffirm the Board's denial of this course as it still lacked the required information. A vote was taken and Nancy Kirsch abstained while all others voted in favor. The motion passed by a majority vote.

G. Inquiry from JFK Johnson Rehabilitation Institute

RE: Course, "Physical Therapy Ethics IV"

JFK Johnson Rehabilitation Institute asked the Board if the language in their brochure for the course, "Physical Therapy Ethics IV" under *Continuing Education Note* is acceptable.

A motion was made by Jean Bickal and seconded by Barbara J. Behrens to inform JFK Johnson Rehabilitation Institute that the language is acceptable. A vote was taken and the motion carried by a unanimous vote.

H. Letter from Jodi Goldberg, PT

RE: Continuing Education

Ms. Goldberg provided with her reinstatement application 30 continuing education credits from distance learning courses. Ms. Goldberg informed the Board that she is actively practicing in Nevada and Nevada allows licensees to obtain all their continuing education credits through distance learning courses. Ms. Goldberg asked the Board if they would accept the 30 continuing education credits so her license can be reinstated.

The Board noted that since Ms. Goldberg is actively licensed in Nevada and has satisfied the continuing education requirements for Nevada, the Board could accept the 30 continuing education credits that she completed from the distance learning courses pursuant to N.J.S.A. 45:1-7.4 *Uniform Enforcement Act*.

A motion was made by Nancy Kirsch and seconded by David Bertone to accept the 30 continuing education credits that Ms. Goldberg provided. A vote was taken and the motion carried by a unanimous vote.

I. Inquiry from Cynthia Rosenbloom, PT

RE: Scope of Practice

Ms. Rosenbloom informed the Board that she is being required to change soiled diapers during physical therapy treatment and her malpractice insurance believes that changing soiled diapers may be a violation of N.J.A.C. 13:39A-3.8. Ms. Rosenbloom asked the Board for advice concerning this matter.

A motion was made by Mary Browne and seconded by Nancy Kirsch to inform Ms. Rosenbloom that the Board cannot provide her with legal advice. She can seek private counsel to address her concerns. A vote was taken and the motion carried by a unanimous vote.

- J. Information from Education Resources  
RE: Course, "Visual Vestibular Strategies to Optimize Participation and Learning"

Education Resources wrote the Board concerning its denial of the course, "Visual Vestibular Strategies to Optimize Participation and Learning" as the course submission did not include at least five references from peer reviewed journals published within the past five years. Education Resources provided information for the Board to review.

A motion was made by Nancy Kirsch and seconded by Mary Browne to approve the course, "Visual Vestibular Strategies to Optimize Participation and Learning" as it now meets the requirements set forth in N.J.A.C. 13:39A-9 et seq. The Board will request that Care Resources provide the applicants with the updated reference list. A vote was taken and the motion carried by a unanimous vote.

### **III. OLD BUSINESS**

- A. Letter from Genesis Rehab Services  
RE: Course "Applications and Web-Based Tools for Rehab"

Genesis Rehab Services wrote the Board concerning its denial of the course, "Applications and Web-Based Tools for Rehab" as the course submission did not include at least five references from peer reviewed journals published within the past five years. Genesis Rehab Services provided information for the Board to review.

A motion was made by Jean Bickal and seconded by David Bertone to reaffirm the Board's denial of this course as it still lacked the required information. A vote was taken and Nancy Kirsch abstained while all others voted in favor. The motion passed by a majority vote.

### **IV. FOR YOUR INFORMATION**

- A. Consent Order filed June 24, 2014  
In the matter of Tate L. Rice, PT

The Board reviewed a Consent Order filed on June 24, 2014 in the matter of Tate L. Rice, PT and considered it informational.

- B. Consent Order filed June 24, 2014  
In the matter of Julius H. Cepeda, PT

The Board reviewed a Consent Order filed on June 24, 2014 in the matter of Julius H. Cepeda, PT and considered it informational.

Upon a motion made by Barbara J. Behrens and seconded by Mary Browne, the Board voted to go into Executive Session to discuss the following matters involving investigations of violations of the Board's enabling act, the Uniform Enforcement Act and/or Board regulations.

1. Four matters filed with the Board, which require review and additional recommendations with regard to investigations and/or actions.
2. Two matters where additional information has been submitted to the Board concerning pending investigations.

#### **APPLICATIONS APPROVED BY THE BOARD**

1. Louie Paul S. Bagayas
2. Diana Pagidakula
3. Hameed Adewole
4. Neetaben Khunt

#### **APPLICATIONS NOT APPROVED BY THE BOARD**

1. Sneha Nair

#### **ADJOURNMENT**

The Board returned to Public Session and a motion was made by Cindy Moore and seconded by Mary Browne to adjourn the meeting at 1:30 P.M. A vote was taken and the motion carried by a unanimous vote.

Respectfully submitted,

Lisa Tadeo  
Executive Director